

Remarks

Claims 1-7, 9-12, and 15-19 are presently pending and stand rejected.

Reconsideration and continued examination are respectfully requested.

Claims 1-6 were rejected under 35 U.S.C. § 103(a) as being obvious from the combination of Yoshimura in view of Hatta. Claim 1 is amended to recite, among other limitations, “contemporaneously processing a first subset of the encoded symbols to identify a second subset of the encoded symbols, wherein each symbol in the second subset of the encoded symbols are encoded based on a common probability of occurrence of symbols in a symbol set, *and wherein encoded symbols in the first subset that are not in the second subset are not encoded based on the common probability of occurrence of symbols in the symbol set*”.

Although the Office Action indicates that “the ‘IMPORTANT PACKET’ data can be broadly interpreted as comprising the processing a first subset of the encoded symbols to identify a second subset of the encoded symbols wherein the encoded symbols are received on the receiver/decoder end in preparation for decoding streaming video image data”, Assignee respectfully submits that neither of Yoshimura or Hatta teach “*wherein encoded symbols in the first subset that are not in the second subset are not encoded based on the common probability of occurrence of symbols in the symbol set*”.

Accordingly, Assignee respectfully requests withdrawal of the rejection to claim 1 and dependent claims 2-6.

Additionally, claim 7 recites, among other limitations, “contemporaneously encoding a first subset of the symbols to identify a second subset of the symbols, where each symbol in the second subset uses a common encoding context, wherein said encoding context indicates a probability for a plurality of possible symbols”.

Assignee respectfully submit that Yoshimura in view of Hata does not teach the foregoing. Examiner has indicated that “Yoshimura does not specifically disclose wherein the coding context ... indicates a probability of possible symbols.” Moreover, Hata teaches “It is noted that Hata describes “An apparatus and method of decoding ...”. Accordingly, Assignee respectfully submits that the combination does not teach “wherein said *encoding* context indicates a probability for a plurality of possible symbols”.

Examiner has indicated that "Further, image data is always encoded first before being decoded, so Hata has the decoder to decode data, then Hata must have a corresponding encoder to permit the encoding of image data so as to permit Hata's system to decoded whatever data that is encoded on the encoder terminal otherwise it would be pointless to have a decoder if there is no corresponding encoder to encode the image data so as to permit the decoding of image data".

Assignee respectfully maintains traverse and notes that since Hata is a written document, it is entirely possible for Hata to disclose a decoder but not teach a corresponding encoder, even if "it would be pointless to have a decoder if there is no corresponding encoder to encode the image data so as to permit the decoding of image data". At issue is what Hata teaches, and Hata as a written document does not teach or disclose an encoder.

Accordingly, Assignee respectfully requests withdrawal of the rejection to claim 7 and dependent claims 9-12 and 17-19.

Conclusion

For at least the foregoing reasons, each of the pending claims are in a condition for allowance. Examiner is respectfully requested to pass this case to issuance. The Commissioner is hereby authorized to charge any fees for actions requested herein to account no. 13-0017.

Respectfully Submitted



Mirut Dalal
Attorney for Assignee
Reg. No. 44,052

July 24, 2009

McAndrews, Held & Malloy, Ltd.
500 West Madison – Suite 3400
Chicago, IL 60661

Phone (312) 775-8000
FAX (312) 775-8100